

# **Exhibit 1**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

HO WAN KWOK,

*Defendant.*

Case No. 1:23-CR-118-1 (AT)

**[PROPOSED] ORDER & WRIT**

ANALISA TORRES, District Judge:

Upon Defendant Ho Wan Kwok's Motion for a Writ Staying Bankruptcy Cases, the Declaration of Sidhardha Kamaraju dated August 30, 2023, together with all exhibits annexed thereto, all prior papers and proceedings heretofore had herein, and pursuant to the Court's inherent supervisory authority and authority under the All Writs Act, 28 U.S.C. § 1651, the Court finds and orders as follows:

1. The bankruptcy cases captioned *In re Ho Wan Kwok, et al.*, Case No. 22-50073(JAM) (Bank. D. Conn.) (Jointly Administered), including the jointly administered proceedings captioned *In re Genever Holdings Corp.*, Case No. 22-50542(JAM) (Bank. D. Conn.), and *In re Genever Holdings LLC*, Case No. 22-50592(JAM) (Bank. D. Conn.), and all related adversary proceedings<sup>1</sup> (collectively, the "Bankruptcy Cases"), concern issues that overlap in significant respects with the issues in the above-captioned criminal proceeding.

2. Given the overlap between this criminal proceeding and the Bankruptcy Cases, and the substantial risk that permitting the Bankruptcy Cases to continue will violate Mr. Kwok's

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<sup>1</sup> A list identifying the related adversary proceedings is attached to this Order as Schedule A.

constitutional right against self-incrimination and to exculpatory evidence, the Court finds that staying the Bankruptcy Cases during the pendency of this criminal proceeding is necessary to preserve Mr. Kwok's constitutional rights and ability to effectively mount a defense.

3. Therefore, pursuant to the Court's inherent supervisory authority and its authority under the All Writs Act, 28 U.S.C. § 1651, the Court hereby ORDERS as follows:

- a. the Bankruptcy Cases are STAYED pending the resolution of this proceeding, including all appeals as of right;
- b. a copy of this order shall be filed with the Bankruptcy Court within five (5) days of the date of this order; and
- c. a copy of this order shall be served on Luc Despins, Esq., the chapter 11 trustee of the Bankruptcy Cases, by email and Federal Express Overnight Delivery.

SO ORDERED:

Dated: New York, New York  
\_\_\_\_\_, 2023.

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THE HON. ANALISA TORRES  
UNITED STATES DISTRICT JUDGE

**SCHEDULE A****Related Adversary Proceedings**

<b>Case Name</b>	<b>Case Number</b>	<b>Judge</b>	<b>Bankruptcy Court</b>
<i>HK International Funds Investments (USA) Limited, v. Despins</i>	22-ap-05003	Hon. Julie A. Manning	D. Conn.
<i>Cheng v. Kwok</i>	22-ap-05010	Hon. Julie A. Manning	D. Conn.
<i>Ma v. Kwok</i>	22-ap-05011	Hon. Julie A. Manning	D. Conn.
<i>Pacific Alliance Asia Opportunity Fund L.P. v. Kwok</i>	22-ap-05012	Hon. Julie A. Manning	D. Conn.
<i>Wu et al v. Kwok</i>	22-ap-05013	Hon. Julie A. Manning	D. Conn.
<i>Meng et al v. Kwok</i>	22-ap-05014	Hon. Julie A. Manning	D. Conn.
<i>Nunberg v. Kwok</i>	22-ap-05017	Hon. Julie A. Manning	D. Conn.
<i>Zhang et al v. Kwok et al</i>	22-ap-05018	Hon. Julie A. Manning	D. Conn.
<i>Despins et al v. Bravo Luck Limited et al</i>	22-ap-05027	Hon. Julie A. Manning	D. Conn.
<i>Pacific Alliance Asia Opportunity Fund L.P. v. Kwok</i>	22-ap-05032	Hon. Julie A. Manning	D. Conn.
<i>Pacific Alliance Asia Opportunity Fund L.P. et al v. Ho Wan et al</i>	22-ap-05034	Hon. Julie A. Manning	D. Conn.
<i>Genever Holdings LLC et al v. Kwok et al</i>	23-ap-05002	Hon. Julie A. Manning	D. Conn.
<i>Despins, Luc A., Chapter 11 Trustee v. Greenwich Land, LLC et al</i>	23-ap-05005	Hon. Julie A. Manning	D. Conn.
<i>Genever Holdings LLC v. AIG Property Casualty Company</i>	23-ap-05007	Hon. Julie A. Manning	D. Conn.
<i>Despins, Luc A., Chapter 11 Trustee v. Guo</i>	23-ap-05008	Hon. Julie A. Manning	D. Conn.
<i>U.S. Bank National Association, as escrow agent v. HK International Funds Investments (USA) Limited et al.</i>	23-ap-05012	Hon. Julie A. Manning	D. Conn.
<i>Despins et al v. HCHK Technologies, Inc. et al</i>	23-ap-05013	Hon. Julie A. Manning	D. Conn.

<b>Case Name</b>	<b>Case Number</b>	<b>Judge</b>	<b>Bankruptcy Court</b>
<i>Despins et al v. Taurus Fund LLC et al</i>	23-ap-05017	Hon. Julie A. Manning	D. Conn.
<i>Despins, Luc A., Chapter 11 Trustee v. Golden Spring (New York) LTD et al</i>	23-ap-05018	Hon. Julie A. Manning	D. Conn.
<i>Ho Wan Kwok and Genever Holdings LLC</i>	22-bk-50073	Hon. Julie A. Manning	D. Conn.